

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA

§
§
§
§

V.

CRIMINAL NO. 6:18-CR-60-002

YANEY GURRUSQUIETA

§

ELEMENTS OF THE OFFENSE

Count 1

VIOLATION: 18 U.S.C. § 4 (Misprision of felony)

PENALTY: A fine of not more than \$250,000; imprisonment for not more than three (3) years; or both. A term of supervised release of not more than one (1) year.

MANDATORY ASSESSMENT: \$100.00.

The Defendant is charged in Count 1 of the Information with misprision of felony, in violation of 18 U.S.C. § 4.

The essential elements which must be proven to establish a violation of this offense are:

First: That a federal felony was committed, that is, conspiracy to possess with intent to distribute and distribute cocaine, in violation of 21 U.S.C. § 846, as charged in Count 1 of the Information;

Second: That the Defendant had knowledge of the commission of the felony;

Third: That the Defendant failed to notify an authority as soon as possible; and
Fourth: That the Defendant did an affirmative act, as charged, to conceal the crime.¹

Respectfully submitted,

JOSEPH D. BROWN
UNITED STATES ATTORNEY

/s/ Alan R. Jackson _____

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CERTIFICATE OF SERVICE

On March 5, 2019, I, Alan R. Jackson, Assistant U. S. Attorney for the Eastern District of Texas, do hereby certify that a true and correct copy of the foregoing instrument has been served on the following according to the Federal Rules of Criminal Procedure and the rules of this Court: J. Brett Harrison, attorney for the Defendant.

/s/ Alan R. Jackson _____
ALAN R. JACKSON

¹Fifth Circuit Pattern Jury Instructions (Criminal), § 2.06 (2015).